

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 03-0286-01-CR-W-NKL
)	
JONATHAN M. ARTHUR,)	
)	
Defendant.)	

ORDER

On May 19, 2005, Judge John T. Maughmer, United States Magistrate Judge, recommended that the Court enter an Order finding Defendant Jonathan M. Arther (“Arther”) competent to stand trial and to assist in his defense. In his Report and Recommendation, Judge Maughmer reminded the parties that they had ten days to file their objections to the proposed findings. Neither party filed an objection. Having conducted an independent review of the record, the Court concludes that Judge Maughmer’s Report and Recommendation should be adopted.

Judge Larsen held a competency hearing on May 17, 2005. At the hearing, the parties stipulated to the contents and conclusions of a report prepared by Dr. Christina A. Pietz. In that report, Dr. Pietz found that Arther has suffered from paranoid schizophrenia, but that the condition was controlled with medication. Dr. Pietz further concluded that Arther was able to understand the nature and consequences of the proceedings against him and to assist properly in his defense. In addition, Arther’s

counsel stated at the hearing that he had arranged for an independent expert to perform a supplemental evaluation, and that the expert had also concluded that Arther is competent to stand trial.

On May 26, 2005, at the plea hearing, Arther testified that, although he had suffered from paranoid schizophrenia in the past, he was taking medication that controlled the condition. Arther further testified that he did not have any concerns about his ability to proceed with the hearing.

Accordingly, based upon an independent review of the entire record, it is

ORDERED that Judge Maughmer's Report and Recommendation of May 19, 2005 [Doc. 49], is adopted.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

Dated: June 28, 2005
Kansas City, Missouri